

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROXY HEADLEY,

Plaintiff,

-against-

ORDER
17-CV-4853 (JS) (AYS)

THOMAS SPOTA, KATE WAGNER,
and HON. RICHARD AMBRO,

Defendants.

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APPEARANCES

For Plaintiff: Roxy Headley, pro se
 465828
 Suffolk County Correctional Facility
 110 Center Drive
 Riverhead, NY 11901

For Defendants: No appearances.

SEYBERT, District Judge:

By Memorandum and Order dated December 21, 2017 (the "M&O"), the Court granted incarcerated pro se plaintiff Roxy Headley's ("Plaintiff") application to proceed in forma pauperis, and sua sponte dismissed the Complaint for failure to state a claim pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii), 1915A(b)(1). Plaintiff was granted leave to file an Amended Complaint within thirty (30) days from the date of the M&O and was cautioned that his failure to timely file an Amended Complaint will lead to the entry of judgment and this case will be marked closed.

To date, Plaintiff has not filed an Amended Complaint, nor has he otherwise communicated with the Court. Accordingly, judgment shall now enter and the Clerk of the Court is directed to CLOSE this case and to mail a copy of this Order to the pro se

Plaintiff.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: April 5, 2018
Central Islip, New York